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10-8-98

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Michael J. Sullivan

FOR : IMPROVED MULTI-LAYER GOLF BALL

SERIAL NO. : 08/815,556

FILED : March 12, 1997

EXAMINER : M. Graham

ART UNIT : 3304

LAST OFFICE ACTION : October 22, 1997

ATTORNEY DOCKET NO. : SLD 2 035-1-1

RECEIVED
OCT - 5 1998
TECHNOLOGY CENTER 3700

Cleveland, Ohio 44114
September 28, 1998

**Supplemental Showing Under 37 C.F.R. § 1.195 For Introducing
Information After Notice of Appeal**

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

This supplemental showing is presented subsequent to the filing of Applicant's Appeal Brief in the above-captioned application on July 20, 1998. This supplemental showing is presented in order to introduce additional information

CERTIFICATE OF MAILING

I hereby certify that this Supplemental Showing Under 37 CFR §1.195, in triplicate, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on September 28, 1998.

By: Mary Ann Temesvari
Mary Ann Temesvari

pertaining to the nonobviousness of the claimed subject matter. This information relates to the commercial success, praise within the industry, and the extensive and wide-spread adoption of the commercial embodiment of the claimed golf ball - the Top-Flite® Strata™ golf ball.


Exhibit 1 notes that the Strata™ ball is the number one multi-layer ball on tour. The significant advantage and increase in tour rankings by utilizing the Strata™ ball is also illustrated.

Exhibits 2-4 announce the winner of the 62nd Masters and the 1998 British Open, Mark O'Meara utilizing the Strata™ ball.

Exhibits 5 and 6 illustrate the remarkable commercial success and adoption in the industry of the Strata™ ball.

For at least these reasons, it is respectfully submitted that the information submitted herewith, i.e. Exhibits 1-6, also be considered in conjunction with the information submitted with Applicant's Appeal Brief, i.e. Exhibits 1-19, and be admitted and considered by the Board.

Respectfully submitted,
FAY, SHARPE, BEALL,
FAGAN, MINNICH & McKEE



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Cleveland, OH 44114-2518
(216) 861-5582

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MEET THE NEW MASTERS CHAMPIONS: MARK O'MEARA AND TOP-FLITE STRATA.



Soft ZS-Balata™
cover for maxi-
mum spin control

Firm inner layer
for distance

**Soft, high
energy core**
for Tour feel



CONGRATULATIONS MARK O'MEARA,
THE 62ND MASTERS CHAMPION

Top-Flite and Etonic congratulates
Mark O'Meara for winning his first
green jacket and his first major tourna-
ment as a professional.



SPALDING®

TOP-FLITE **Etonic**

MEET THE NEW MASTERS CHAMPIONS: MARK O'MEARA AND TOP-FLITE STRATA.

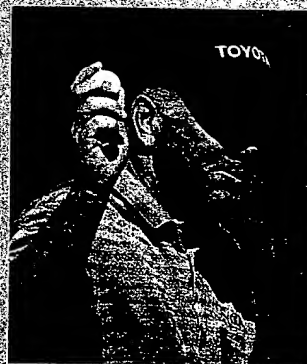


TOP-FLITE
STRATA
1

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SPALDING®

TOP-FLITE

Etonic

PLAY THE BALL THAT WON THE MASTERS AND THE BRITISH OPEN: TOP-FLITE.



MARK O'MEARA 1998 MASTERS CHAMPION
1998 BRITISH OPEN CHAMPION

1998 MAJOR WINS

TOP-FLITE	2
Bridgestone	1
Maxfli	0
Titleist	0

Congratulations to Mark O'Meara on winning his second Major tournament of the year, adding the British Open's Claret Jug to his Master's Green Jacket. Mark plays the Top-Flite Strata, the new #1 ball in golf's Major Championships.



TECHNOLOGY TO IMPROVE YOUR GAME

TOP-FLITE

A TRADITION IN GOLF FOR OVER 100 YEARS **SPALDING**

©1998 Spalding Sports Worldwide. Sold through Golf Professional Shops. Spalding is a member of the National Golf Foundation.

STRATA: THE #1 MULTI-LAYER BALL ON TOUR.



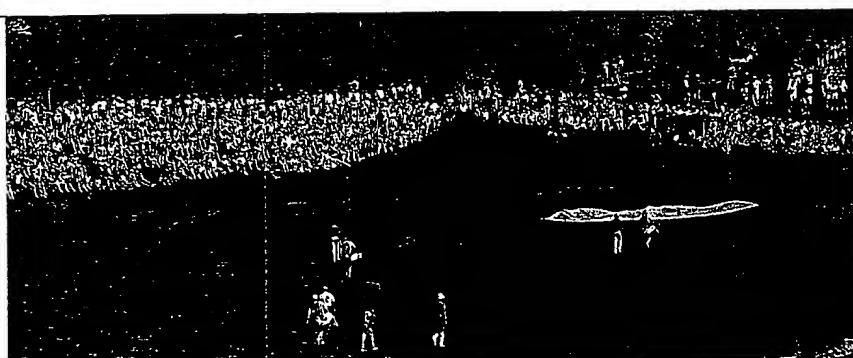
Soft ZS Balata™
cover for maximum
spin control

Firm inner layer
for distance

Soft, high
energy core
for Tour feel

In April 1996, Mark O'Meara switched from a wound ball and became the first PGA Tour Professional to play our new multi-layer Strata. Later that month, he used it to win the Greater Greensboro Open. In May, D.A. Weirbring also switched to the Strata and, he promptly won the Greater Hartford Open. Like anything else on Tour that performs this well, the ball caught on. Today, over 150 touring professionals representing every Tour worldwide make the Top-Flite Strata their ball of choice.

The Strata's breakthrough multi-layer



construction continues to redefine performance for top pros. Its firm inner layer produces long distance off the tee, while its super soft ZS Balata™ cover and patented high energy core combine



Jim Furyk, 11 TOP-TEN FINISHES,
RYDER CUP TEAM MEMBER 1997

to produce unequaled spin and control around the green. What you get is a ball that performs from tee to green. One that helped Jim Furyk post 11 top-ten finishes during the 1997 season.

Of course, we've adapted the multi-layer technology to perform well for the low handicap player as well. The Strata Advance uses the same multi-layer Strata Tour construction. But it features a Hyper-Elastic inner layer for additional distance off woods and long irons

while the soft, cut-proof Z-Balata cover and high energy core deliver fantastic feel and spin on short irons around the green.

So, whether it's the Strata Tour for unmatched control or the

TOUR RANKINGS

Tour Player	Before Strata	After Strata
Mark O'Meara	20	8
Jim Furyk	48	20
Paul Stankowski	55	26
Bill Glasson	52	39
David Ogren	103	59

Strata Advance for additional distance, why not buy a sleeve from your pro shop and test them against your regular ball? After all, the Strata's breakthrough multi-layer technology has worked for the top pros. We're confident it will help to improve your game as well.

In only eighteen months, 150 tour professionals worldwide have switched to the Strata Tour. With outstanding results, 28 first place finishes and hundreds more in the top ten.



Bill Glasson
1997 LAS VEGAS
INVITATIONAL



Mark O'Meara
1997 AT&T PERDUE
BEACH PRO-AM



Paul Stankowski
1997 UNITED AIRLINES
HAWAIIAN OPEN



DEDICATED TO IMPROVING YOUR GAME

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CONGRATULATIONS MARK O'MEARA,
THE 62ND MASTERS CHAMPION

Top-Flite and Etonic congratulates
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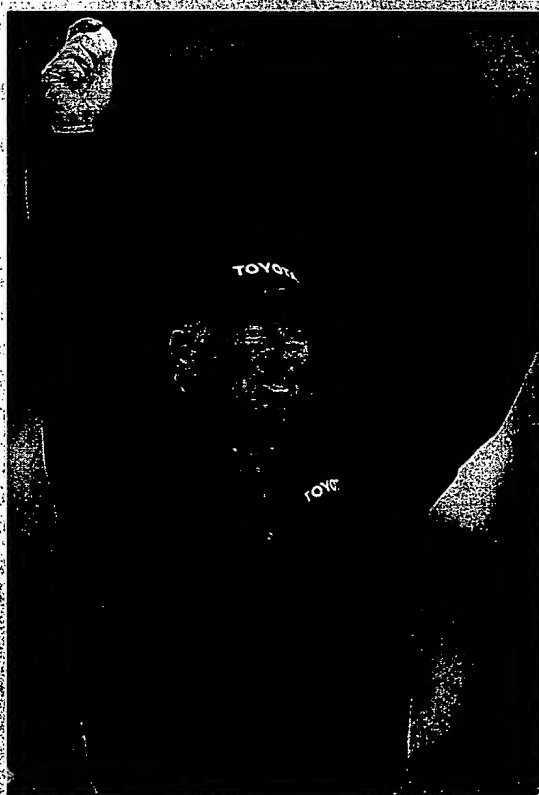


SPALDING

TOP-FLITE

Etonic

PLAY THE BALL THAT WON THE MASTERS AND THE BRITISH OPEN: TOP-FLITE.



MARK O'MEARA 1998 MASTERS CHAMPION
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SPALDING

IN EIGHTEEN MONTHS OVER 250 TOUR PLAYERS HAVE SWITCHED TO THE TOP-FLITE® STRATA™ CARE TO JOIN THEM?



MARK O'MEARA



JIM FURYK



PAUL STANOWSKI



CHRIS JOHNSON



AL GEIBERGER



CASEY MARTIN



ANDREW MAGEE



DAVID OGRIN



D.A. WEIRBERG



DANA QUIGLEY



KELLI KUEHNE



RUSS COCHRAN



BILLY RAY BROWN



BRUCE SUMMERHAYS



LEN MATTIACE



BRENT GEIBERGER



CRAG STADLER



PAYNE STEWART



LEE TREVINO



STEVE PATE



JAY DON BLAKE



BRANDIE BURTON



BRUCE CRAMPTON



HAL SUTTON



MIKE BRISKY



NEAL LANCASTER



DEVITT WEAVER



TERRY DILL



CAROLINE MCMILLAN



PHIL TATAURANGI

Since 1996, over 250 Tour professionals worldwide have switched to the Strata Tour. With outstanding results, 28 first place finishes and hundreds more in the Top Ten. Small wonder it's caught on. The Strata's breakthrough multi-layer

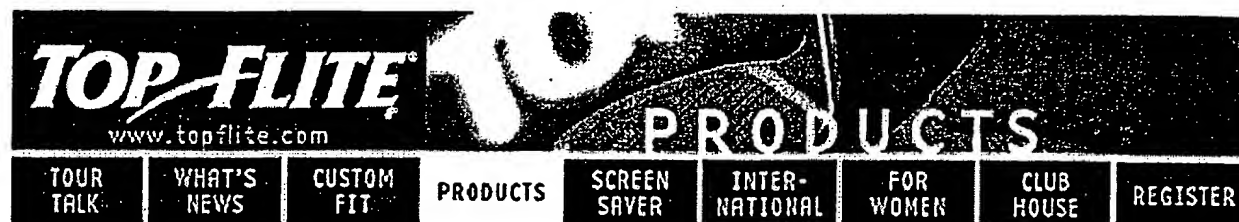
construction utilizes a firm inner layer that plays long off the tee, while its super-soft ZS-Balata™ cover and patented high energy core combine for unequalled spin and control around the green. It's improved their game, without a doubt, it'll help yours.

DEDICATED TO IMPROVING YOUR GAME **TOP-FLITE**

HOWEVER, IT SEEMS TO BE CATCHING ON.

HOWEVER, IT SEEMS TO BE CATCHING ON.

[illegible]



TOP-FLITE[®] STRATA[™]

The #1 Multi-Layer Ball On Tour.

Top-Flite's Breakthrough Multi-Layer Technology Is The Most Remarkable Yet.

Since the turn of the century, Spalding has led the way in technology, from the first dimpled golf ball in 1909 to today's line-up of high performance balls for every level of play. In fact, over the past 5 years, no other U.S. manufacturer has obtained more patents covering materials and construction than Top-Flite.

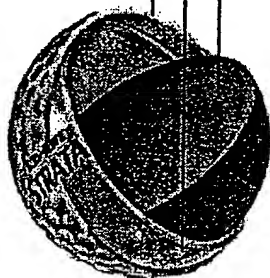
And now, with the multi-layer technology of the Top-Flite® Strata[™] Advance, the performance bar has been raised higher than ever before.



Top-Flite Strata Tour's Impressive First Year on the PGA Tour.

Dozens of professionals worldwide have already switched to the new Top-Flite Strata Tour, including former wound ball players Mark O'Meara and Jay Don Blake. And the results have been impressive. Since switching to Strata Tour, O'Meara has reached the top 5 on the PGA Tour in money, in scoring, in greens in regulation and in birdies. Strata Tour has also recorded numerous Tour victories in its first year such as: O'Meara's win at Greensboro, D.A. Weibring's GHO victory, Walt Morgan's first place honors at the SPGA Ameritech, not to mention several international wins.

SOFT, HIGH ENERGY
CORE
FIRM INNER LAYER
FOR DISTANCE
SOFT ZS BALATA
COVER FOR HIGH
SPIN CONTROL



Top-Flite Strata Tour. Patented Multi-Layer Construction Sets a New Standard in Golf Ball Performance.

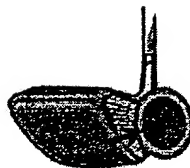
The multi-layer design of Top-Flite Strata Tour has redefined golf ball technology. By combining a super soft ZS Balata[™] cover with a firm inner layer and a high-energy soft core, the new Strata Tour offers excellent distance off woods and longer irons with unequalled feel and control on short iron shots and around the green.

Distance Comparison		
DRIVER	Top-Flite Strata Tour	Longest
	Titleist Tour Balata	+6 Yards
	Titleist Professional	+3 Yards
	Maxfli HHI	+4 Yards
5 IRON	Top-Flite Strata Tour	Longest
	Titleist Tour Balata	+4 Yards
	Titleist Professional	+4 Yards
	Maxfli HHI	+2 Yards
Spin Comparison		
30 YARD PITCH	Top-Flite Strata Tour	Highest
	Titleist Tour Balata	+200 RPM
	Titleist Professional	+600 RPM
	Maxfli HHI	+1300 RPM

Computer-Aided Design and Breakthrough Materials Make State-Of-The-Art Performance Possible.

The Strata Tour construction is revolutionary both inside and out. Its core composition is a patented polymer that delivers a remarkable combination of softness (for feel) and maximum distance. The patented inner layer, which is the impressive power behind Strata Tour, contains an exclusive formulated ionomer material.

Top-Flite Strata Tour has a new ZS Balata™ outer cover that is also patented. Its advanced polymer construction makes it not only soft and resilient, but cut resistant. This translates into added confidence on those all-important scoring shots around the green. Just as important, Top-Flite Strata Tour also provides consistent, reliable performance shot after shot, and hole after hole.



With woods and long iron shots, the firm inner layer and high energy core combine to produce low spin and long distance.



With short iron shots and around the green, the ZS Balata™ cover produces unequaled spin control with balata ball feel.

Strata Advance Specifications	
Ball Size	1.68"
Core Size	1.47"
Thickness	
Cover	0.050"
Mantle Layer	0.055"
Cover	
Shore D Hardness	46
Mantle Layer	
Shore D Hardness	70
Dimple Pattern	DM
Number of Dimples	422

You'll See The Top-Flite Strata Tour On The Professional Tours... And At Golf Professional Shops.

The performance of Top-Flite Strata Tour continues to attract the attention of top tour players worldwide. Players like Jim Furyk and 1996 GGO winner Mark O'Meara have seen the difference Strata Tour can make in their game, and have made Strata their ball of choice for 1997.

The Top-Flite Strata Tour comes with a 100% money-back guarantee if you are not completely satisfied.

For more information on Top-Flite Strata Tour, call 1-800-225-6601.

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You want to know more about Strata's Product Benefits and Features?

| [Tour Talk](#) | [What's New](#) | [Custom Fit](#) | [Products](#) | [Screen Saver](#) | [International](#) | [For Women](#) | [Club House](#) | [Register](#) |
Top-Flite 1997